

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.J.Res. 121—Disapproving the Extension of Nondiscriminatory Treatment to the Products of the People’s Republic of China

Motion to Go to Conference on H.R. 6 (Higher Education Act Amendments)

Motion to Go to Conference on H.R. 3616 (FY 1999 Defense Authorization Act)

H.R. 4193—FY 1999 Interior Appropriations Act

H.R. 4194—FY 1999 VA/HUD Appropriations Act

H.R. 1689—Securities Litigation Uniform Standards Act (Vote Only)



H.J.Res. 121—Disapproving the Extension of Nondiscriminatory Treatment to the Products of the People’s Republic of China

Floor Situation: The House will consider H.J. Res. 121 as its first order of business today. On Friday, July 17, the House agreed to a unanimous consent request to provide four hours of general debate, equally divided between a proponent and an opponent of the resolution. It permits the House to consider the resolution under an expedited process which does not allow for amendments or a motion to recommit and waives all points of order against the resolution.

Summary: H.J. Res. 121 rejects President Clinton’s decision to extend normalized trade relations (NTR) treatment for products from the People’s Republic of China for another year. On June 3, 1998, the president announced that he planned to renew NTR trading status for China. The president’s action automatically extends China’s NTR status for one year, beginning July 3, unless Congress passes a joint resolution disapproving the extension within 60 days of the July 3 effective date. The Committee on Ways & Means ordered H.J. Res. 121 reported adversely (*i.e.*, disapproved, but still moved to the House floor) by voice vote on June 25, 1998.

Views: The Republican Leadership opposes passage of H.J. Res. 121. The Clinton Administration also opposes passage of the joint resolution.

Additional Information: See *Legislative Digest*, Vol. XXVII, #19, July 17, 1998.



H.R. 4193—FY 1999 Interior Appropriations Act

Floor Situation: The House will consider H.R. 4193 after it appoints conferees on H.R. 3616. Yesterday, the House began considering amendments under an open rule. The rule waives points of order against the bill for containing measures within the jurisdiction of the Budget Committee that were not reported by it, as well as measures creating entitlement spending. It also waives House rules prohibiting unauthorized appropriations, legislative measures in an appropriations bill, and reappropriations, except the measure that provides funding for the NEA. The rule self-executes three amendments—by Mrs. Chenoweth, Mr. Regula, and Mr. Young (AK)/Mr. Miller (CA)—into the base text of the bill and accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. In addition, the rule makes in order two specific amendments—by Mrs. Johnson (CT) and Mr. Young (AK)—for the amount of time specified below and waives points of order against them. The rule permits the chairman of the Committee of the Whole to postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 4193 appropriates \$13.4 billion in new FY 1999 budget authority, \$680 million less than last year (mostly due to special funding provided last year for priority land acquisitions) and \$838.8 million less than the president's request. The bill's spending is equal to the subcommittee's 302(b) allocation for discretionary budget authority. Approximately half of the bill's funding, \$6.6 billion, finances Interior Department programs to manage and study the nation's animal, plant, and mineral resources. The balance of the measure's funds support other, non-Interior agencies that perform related functions. These include the Forest Service, conservation and fossil energy programs run by the Energy Department, and the Indian Health Service, as well as the Smithsonian Institution and similar cultural organizations. Specifically, the measure allocates:

- * \$1.3 billion for the operation of the National Parks, \$99.3 million more than last year and \$12.5 million more than the president's request;
- * \$744.8 million for the Fish and Wildlife Service, \$27.7 million less than in FY 1998 and \$73.3 million less than the president's request;
- * \$919 million for wildland fire management;
- * \$2.2 billion for the Indian Health Service, \$147.4 million more than in FY 1998 and \$127.8 million more than the president's request;
- * \$1.7 billion for the Bureau of Indian Affairs, \$10.2 million more than last year and \$130.6 million less than the president's request; and
- * \$80 million for Everglades restoration, an increase of \$20 million.

In addition, the measure includes (1) \$98 million for the National Endowment for the Arts (equal to last year's level); (2) \$110.7 million for the National Endowment for the Humanities (equal to the FY 1998 level); (3) \$397.5 million for the Smithsonian (a \$4.8 million decrease); (4) \$64.2 million for the National Gallery of Art (a \$2.2 million increase); (5) \$21.2 million for the Kennedy Center (an \$812,000 increase); and (6) \$31.7 million for the Holocaust Museum (equal to the FY 1998 level). Finally, the bill eliminates the timber purchaser credit program.

Views: The Republican leadership supports passage of the bill. An official Clinton Administration viewpoint was unavailable at press time.

Amendments: On Tuesday, the House began consideration of amendments under an open rule. At press time, the *Legislative Digest* was aware of the following amendments to H.R. 4193:

Mr. DeFazio, Mr. Herger, and Mrs. Capps may offer an amendment to strike the provision in the bill that extends the recreational fee demonstration program for another two years. The program allows parks and public lands to collect additional fees and retain 80 percent for on-site operational enhancements and critical maintenance; the remaining 20 percent is spent at other units. The authors of the amendment contend that the program created a host of new unpopular fees—new trails fees, entrance fees, and other user fees—and that there has not been adequate congressional oversight or a system-wide audit of the program to ensure that collected fees are being used for their intended purpose. However, opponents of the amendment argue that the program, in its relatively early stage of development, has already been a successful tool that funds a critical backlog of maintenance projects at national parks and other public lands. **Staff Contact: Jeff Stier (DeFazio), x5-6416**

Mr. Gallegly may offer an amendment (#12) to exempt any individual who resides within 20 miles from a national forest entrance from having to buy the “adventure pass,” which requires individuals to pay a \$5 fee each time they visit a forest, or \$30 for an annual pass. The sponsor argues that the fee is unfair for individuals who live near and frequently visit a national forest. **Staff Contact: Teddy Eynon, x5-5811**

Mr. Gilchrest may offer one or two amendments (#20 or #21) to strike and/or modify the provision in the bill that excludes 36 acres in Florida from the Coastal Barrier Resources System. Specifically, the amendments:

- * strike (#20) the language removing these areas from the system and instead extend the grace period during which landowners in the system may be eligible to purchase federal flood insurance. Eligible structures include those that were standing before either October 1, 1983, or November 16, 1990, depending on certain conditions; and/or
- * strike (#21) the language removing these areas from the system.

Proponents of the amendment argue that the 1982 Coastal Barrier Resources Act was designed to limit development of coastal barrier islands by limiting federal involvement in new development projects. They argue that taxpayers should not have to bail out homeowners who knew the risks of buying a home in such a high-risk area. Opponents of the amendment contend the properties had been mistakenly included in the system and that a federal judge erroneously overturned the will of Congress and the president when they enacted the 1996 Omnibus National Parks bill to remove

these properties. In addition, opponents argue that the amendment is opposed by the entire Florida delegation. **Staff Contact: Erika Feller, x5-5311**

Mr. Gutierrez may offer an amendment (#1) to require the Agriculture and Energy Secretaries to coordinate their energy efficiency programs in urban areas. Specifically, the secretaries must (1) develop a comprehensive action plan that details how Agriculture and Energy programs can be integrated in urban communities to achieve common goals; (2) actively pursue opportunities to coordinate program functions in urban communities; (3) target specific urban communities where energy efficiency and forestry programs can be integrated effectively; and (4) work with state and local governmental entities, private sector partners, and non-profit organizations. Finally, the secretaries must submit annual reports to Congress detailing the progress made to achieve these goals. **Staff Contact: Mark Fine, x5-8203**

Mr. Hinchey may offer an amendment to strike the requirement in the bill that the Agriculture Secretary grant a 250-foot-wide easement through the Chugach National Forest in Alaska to build “public roads and related facilities.” The bill currently does not waive environmental requirements with respect to actual road construction. The United States signed an agreement in 1982 promising a group of Alaska Natives (the “Chugach Natives”) road access to Native-owned lands in the Chugach National Forest. This road access is an essential part of settling their decades old Native American land claims. Proponents of the amendment contend that the federal government has delayed granting them the easement needed for the road access by throwing up bureaucratic hurdles for years and that the amendment will finally honor the government’s promise made to the Chugach Natives 16 years ago. However, opponents argue that the road may cause environmental damage and that environmental studies are currently underway to evaluate the proposal. **Staff Contact: Chris Arthur, x5-6335**

Mrs. Jackson-Lee may offer an amendment (#22) to fully fund the president’s request of \$122 million for grants and administration at the National Endowment for the Humanities (the bill provides \$96.8 million). To offset the increase, the amendment reduces funding for the U.S. Fish & Wildlife construction fund by \$18 million (from \$66.1 million) and the operation of national parks by \$7.2 million (from \$1.3 billion). **Staff Contact: Jason Lee, x5-3816**

Mrs. Jackson-Lee may offer an amendment (#23) to increase funding for the DOE fossil energy research and development program by \$62.9 million and offset the increase by reducing funding for Forest Service road construction and reconstruction by an equal amount. **Staff Contact: Jason Lee, x5-3816**

Mr. Miller (CA) may offer an amendment (#16) to prohibit funds in the bill from being used to construct new roads in the Tongass National Forest in Alaska. The sponsor of the amendment contends that the Tongass logging program lost more money than any other national forest in the country and yet the agency continues to build roads there. However, opponents of the amendment contend that the amendment breaks the good-faith compromise agreed to by Republicans and supported by some Democrats that eliminates the Timber Purchaser Credit Program. In addition, they argue that halting road construction will stop timber sales and thus eliminate 750 jobs. **Contact: x6-2311**

Mr. Miller (CA) may offer an amendment (#15) to prohibit the use of certain trust fund money—from the Knutson-Vandenberg (KV) reforestation fund—for overhead expenses. The bill currently

limits the amount the agency may spend from the KV fund to 25 percent for indirect support activities. However, the sponsor argues that the language authorizes the agency to do something (i.e., spend money on overhead expenses) that is not allowed under current law. **Contact: x6-2311**

Mr. Pappas may offer an amendment to increase funding for National Park Service land acquisition and state assistance by \$50 million (the bill currently provides \$69 million) and offset the increase by reducing funding for the National Endowment for the Arts by \$50 million. **Staff Contact: Paul Pisano, x5-5801**

Mr. Parker may offer an amendment (#18) to strike a provision in the bill that directs the Indian Health Service (IHS) to allocate contract support costs funding on a pro rata basis to all tribal contractors. The sponsor contends that the amendment simply retains current law and eliminates the poorly crafted “fix” in the bill to the problem of unfunded statutory contractual obligations of the IHS. **Staff Contact: Scot Malvaney, x5-5865**

Mr. Redmond may offer an amendment (#25) to reduce funding for the National Endowment for the Arts by \$25 million and increase funding for Forest Service land acquisition by an equal amount. **Contact: x5-6190**

Mr. Riggs may offer one of three amendments (#3, #4, or #5) to revoke the \$250 million in federal funds appropriated in last year’s Interior Appropriations Act (*P.L. 105-83*) to acquire Headwaters Forest in Northern California, if the state of California does not come up with its \$130 million cost-share contribution by October 1, 1998. Specifically, the amendments:

- * stipulate (#3) that if the state of California does not meet its cost-share obligation, the \$250 million in federal funds will instead be redirected to maintain and improve National Park System units. In addition, \$50 million of the available \$250 million would be allocated to maintain and improve civil war sites at National Park System units;
- * prohibit (#4) funds in the bill from be used to acquire the Headwaters Forest unless the state of California funds its \$130 million cost-share by October 1, 1998; and
- * simply prohibit (#5) funds in the bill from being used to acquire the Headwaters Forest in Northern California.

The FY 1998 Interior bill included a number of requirements that must be met by March 1, 1999. While Governor Wilson has requested the \$130 million to fund California’s cost-share obligation, the sponsor of the amendment contends that the state legislature is unnecessarily holding up action on the measure over partisan politics. **Staff Contact: Mark Davis, x5-3311**

Mr. Royce may offer an amendment to reduce funding for the Energy Department’s fossil fuel research and development activities by \$30.6 million (the bill currently provides \$320.6 million). The intent of the amendment is to phase out the program over a five-year period using the FY 1998 appropriation (\$362.4 million) as the baseline. The sponsor believes that taxpayers should not be required to subsidize a private industry that is much better suited to identify and target commercially-viable technologies. **Staff Contact: Shawn McBurney, x5-4111**

Mr. Young (AK) may offer an amendment, debatable for 30 minutes, to extend the current moratorium on the federal takeover of fisheries management of certain navigable waters by the state of Alaska until October 1, 2000. *Staff Contact: Chris Fluhr, x5-2761*

Additional Information: See *Legislative Digest*, Vol. XXVII, #19, July 17, 1998.



H.R. 4194—FY 1999 VA/HUD Appropriations Act

Floor Situation: The House will consider H.R. 4194 after it completes consideration of H.R. 4193. Last Friday, the House completed general debate and began consideration of amendments under an open rule. The rule waives points of order against the bill for containing measures within the jurisdiction of the Budget Committee that were not reported by it. It also waives House rules prohibiting unauthorized appropriations, legislative measures in an appropriations bill, and reappropriations, except for the measure to require the Consumer Product Safety Commission to restore fire retardant standards for children's sleepwear. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The rule permits the chairman of the Committee of the Whole to postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 4194 appropriates \$94.4 billion in new budget authority—\$4.4 billion more than in FY 1998 (\$3.1 billion more in discretionary spending) and \$7.8 billion less than the president's request (because of \$7.7 billion in advance appropriation requests by the president)—for veterans benefits, housing programs, and various agencies dealing mostly with science, space, and the environment. A majority of these funds, \$71 billion, go toward discretionary spending programs, while the remaining \$22.3 billion is mandatory spending (outside of the control of the Appropriations Committee).

A large portion of the bill's funding, \$42.3 billion, supports the Department of Veterans Affairs' efforts to provide extensive health, housing, education, and compensatory benefits to military veterans and their dependents. The measure provides \$26.6 billion for the Department of Housing and Urban Development (HUD)—\$5.1 billion more than in FY 1998 and \$1.7 billion more than the president's request—including \$9.6 billion for Section 8 housing rental assistance. The bill increases funding for homeless assistance to \$975 million (a \$152 million increase) and provides \$4.7 billion for community development block grants. In addition, the measure increases the value of home mortgages that the Federal Housing Administration may insure from \$86,317 to \$109,032 in most areas of the country and from \$109,032 to \$197,620 in high cost areas.

H.R. 4194 provides \$7.4 billion for the Environmental Protection Agency (a \$59.6 million increase). This amount includes: (1) \$656.5 million for EPA research and development (a \$25.5 million increase); (2) \$1.5 billion for Superfund cleanup work, which includes \$75 million for the "brownfields" program; (3) \$1.25 billion for clean water state revolving funds and \$775 million for safe drinking water state revolving funds; and (4) \$817.3 million for the Federal Emergency Management Agency (FEMA). The measure also provides \$13.3 billion for the National Aeronautics

and Space Administration (NASA), including (1) \$3.1 billion for the space shuttle program, (2) \$2.1 billion for the International Space Station, (3) \$1.35 billion for the Earth Observing System, and (4) \$3.6 billion for the National Science Foundation. Finally, the measure eliminates funding for the AmeriCorps program.

The bill replaces the 1937 United States Housing Act—the basis of all federal housing programs—with a new housing framework (essentially the House-passed version of H.R. 2, the Housing Opportunity and Responsibility Act) and consolidates into a new block grant program the existing programs through which tenant-based rental assistance is currently provided through Section 8 certificates and vouchers.

CBO estimates that enactment of H.R. 4194 will result in outlays of \$52.5 billion in FY 1999, \$22.5 billion in FY 2000, \$9.6 billion in FY 2001, \$3.9 billion in FY 2002, and \$4.1 billion in FY 2003 and future years. The bill was submitted by Mr. Lewis (CA); the Appropriations Committee ordered the bill reported by voice vote on June 24, 1998.

Views: The Republican leadership supports passage of the bill. The Clinton Administration has threatened to veto the bill if it is not modified from its present form. Specifically, the administration opposes (1) the funding reductions for certain programs, including the AmeriCorps program; (2) bill language placing restrictions on the EPA; and (3) the Leach-Lazio housing amendment in its present form.

Amendments: On Friday, the House began consideration of amendments under an open rule. At press time, the *Legislative Digest* was aware of the following amendments to H.R. 4194:

Mr. Allen may offer an amendment to clarify that committee report language restricting a number of EPA activities does not apply to EPA regulatory determinations for mercury emissions from utilities. The committee report directs the EPA to complete various studies before issuing rules limiting mercury emissions from utilities. The EPA recently issued two reports to Congress addressing mercury emissions and in April 1998, the agency announced it intended to make a regulatory determination about supplemental controls on utility mercury emissions by November 15, 1998. The Appropriations Committee believes that there is insufficient scientific understanding of mercury and that additional time is needed before the EPA finalizes any regulatory determinations. However, the sponsor contends that the language impedes the EPA's ability to address this issue and impedes the public's right to know how much mercury their local utility releases into the air each year. **Staff Contact:** *Stella Livanios, x5-6116*

Mr. Bereuter may offer an amendment (#1) to reduce the total funding for the Office of the EPA Administrator by \$15 million. **Staff Contact:** *Allen Feyerherm, x5-4806*

Mr. Bereuter may offer one of two amendments (#2 or #20) to:

- * prohibit the use of EPA funds to continue implementing treatment requirements for copper levels in drinking water until certain studies are completed by the EPA and the Centers for Disease Control. Upon completing the studies, the EPA may then establish an appropriate copper level based on the studies' results; and

- * prohibit the use of EPA funds to implement or enforce any national primary drinking water regulation for copper. The sponsor of the amendment maintains that the EPA is implementing a rule on copper concentrations in drinking water that is not supported by available scientific evidence. **Staff Contact: Allen Feyerherm, x5-4806**

Mr. Bereuter may offer an amendment (#3 or #21) to prohibit the use of EPA funds to propose, promulgate, or implement any rule that requires public water systems that rely on groundwater to use disinfection. The sponsor contends that, since the statutory deadline for the groundwater rule is May 2002, the amendment simply prevents the EPA from hastily promulgating a rule that is not based on sound science. **Staff Contact: Allen Feyerherm, x5-4806**

Mr. Engel may offer an amendment (#28) to express the sense of Congress that public water systems supplied by surface water sources that are required to use water filtration to meet federal drinking water standards should be allowed to apply to the EPA to use alternative means of meeting drinking water standards. **Staff Contact: Oliver Kellman, x5-2464**

Mr. Greenwood may offer an amendment (#13) to clarify that the bill language that prohibits implementation of the Kyoto Protocol on climate change does not prevent any action that is authorized by current law. **Staff Contact: Judy Borger, x5-4276**

Mr. Gutierrez may offer an amendment (#4) to enable members or former members of a reserve component (National Guard and reserves) to access sexual trauma counseling and treatment at VA facilities in the same manner as other former military personnel. In addition, the amendment reauthorizes the VA sexual trauma counseling program through December 31, 2002. **Staff Contact: Mark Fine, x5-8203**

Mr. Hinchey may offer an amendment (#22) to prohibit the use of VA funds to implement the Veterans Equitable Resource Allocation system (VERA). VERA was established to provide medical care funding to regions across the country in a more equitable fashion. The system was created in response to findings that indicated the veteran population is shifting to different parts of the country but health care dollars are not. The VA's plan employs an allocation formula that ties funding for each of the 22 geographic regions to the numbers of veterans they actually serve. Some lawmakers fear that the Northeast and Midwest (where the veterans population is decreasing) may lose funding and subsequently result in a decrease in both the quantity and quality of health care. **Contact: x5-6335**

Mrs. Kelly may offer an amendment to require the Veterans Secretary to make available \$20 million for Veterans Integrated Service Network-3 (VISN-3; which covers the New York area) in the form of a one-time credit toward funding reductions required under the Veterans Equitable Resource Allocation system. A General Accounting Office study revealed that the VISN-3 director returned \$20 million of the FY 1997 budget to Washington, at the same time the Office of the Medical Inspector found more than 156 separate health and safety violations. Further, none of the \$20 million was credited toward the network's total funding reduction required by the Veterans Equitable Resource Allocation system. The committee report urges the VA Secretary to make the one-time credit. **Staff Contact: Al Garesche, x5-5441**

Mr. Riggs may offer an amendment to prohibit funds in the bill from being used to implement the San Francisco ordinance that requires groups doing business with the city to provide domestic-

partner benefits to their employees. The ordinance, adopted last year, resulted in the Salvation Army (which provided beds and meals to AIDS patients) losing its funding because the group refused to comply with the ordinance. The sponsor of the amendment maintains that federal funds should not be used as a threat to force private groups and businesses to adopt policies they find morally objectionable. **Staff Contact: Mark Davis, x5-3311**

Mr. Roemer may offer an amendment (#5) to effectively eliminate funding for the international space station program. Specifically, the amendment reduces funding for the project by \$1.6 billion (leaving \$500 million available for close-out costs). In 1993, NASA indicated the space station would cost \$17.4 billion; however, that figure has continued to rise over the past five years. An independent review ordered by NASA recently stated that the project may cost \$24.7 billion. Congress has generally supported NASA's plan to build a permanently occupied space station in Earth orbit where astronauts will live and conduct research. NASA expects that research performed in the near-zero gravity environment of the space station will result in new discoveries in life sciences, biomedicine, and materials sciences. However, some lawmakers question why a space station is needed, how much it will cost, the degree to which it is dependent on Russian participation, and whether Russia can fulfill those commitments. **Staff Contact: Pete Spiro, x5-3915**

Mrs. Roukema may offer an amendment (#16) to permit Section 8 moderate rehabilitation contracts to be renewed at the lower of either the current rents or the HUD fair market rent. Current law permits renewal of such contracts only at the "base rent," which covers only operating expenses and not its debt service, thus placing owners of moderate rehabilitation projects (who may be struggling to pay debt service or finance the purchase of the project) in the position of whether or not to continue providing low-income housing. The sponsor of the amendment is concerned that the "base rent" requirement threatens the availability of affordable housing for low-income families. **Staff Contact: Chris Brinson, x-5-4465**

Mr. Sanford may offer an amendment (#6, #17, or #26) to freeze the funding level for the National Science Foundation's (NSF) research and related activities account at the FY 1998 level (\$2.5 billion). The bill currently increases funding for the account by \$199.3 million. The intent of the amendment is to encourage the NSF to establish a priority system for awarding research grants and thus avoid awarding frivolous grants. **Staff Contact: Scott English, x5-3176**

Mr. Scarborough may offer an amendment to prohibit funds in the bill from be used to carry out Executive Order 13083. Issued on June 14, 1998, the executive order outlines a series of new "Federalism Policymaking Criteria" that federal agencies must follow when formulating and implementing policies that have federalism implications. The sponsor of the amendment contends that the order establishes broad but ambiguous and possibly unconstitutional tests to justify federal intervention in state and local matters. **Staff Contact: Jennifer Hemingway, x5-4136**

Mr. Stearns may offer an amendment (#27) to ensure that no Council on Environmental Quality (CEQ) funds may be used to implement the American Heritage Rivers Initiative. The project, which is coordinated by the CEQ, is a Clinton Administration program initiated in 1997 to grant federal recognition to and coordinate federal aid for restoring locally-nominated rivers. On June 16, 1998, the American Heritage Rivers Initiative Advisory Committee recommended 10 rivers for designation as American Heritage Rivers to the president. Supporters of the project argue that the program is voluntary and a worthwhile endeavor to support local efforts to enhance and restore

rivers around the nation. However, critics of the initiative contend that this is yet another federal effort that may well infringe on the prerogatives of local governments and the property rights of private landowners to manage the use of the land. **Staff Contact: Jennifer Scott, x5-5744**

Mr. Tiahrt may offer an amendment (#7) to ensure that \$12.5 million of the funding appropriated for VA medical and prosthetic research (\$310 million for FY 1999) be made available for research on Gulf War illnesses. **Staff Contact: Jeff Kahrs, x5-6216**

Mr. Tiahrt may offer an amendment (#8) to ensure that \$25 million of the funding allocated for VA medical and prosthetic research (\$310 million for FY 1999) be made available for research on Gulf War illnesses. **Staff Contact: Jeff Kahrs, x5-6216**

Mr. Vento may offer an amendment (#10) to increase funding for the emergency food and shelter program by \$30 million and offset the increase by reducing funding for the international space station program by \$43.5 million. The remaining funds will be allocated toward deficit reduction. **Staff Contact: Mark Smith, x5-6631**

Mr. Vento may offer an amendment (#11) to increase funding for the emergency food and shelter program by \$30 million and offset the increase by reducing funding for National Science Foundation research by \$107.4 million. The remaining funds will be allocated toward deficit reduction. **Staff Contact: Mark Smith, x5-6631**

Mr. Waxman may offer an amendment to clarify that certain bill provisions and committee report language restricting various EPA and Council on Environmental Quality actions does not prevent any action that is authorized by current law. Specifically, the restrictions in the bill will not apply to:

- * developing or proposing regulations or rules prior to issuance. The measure currently prohibits funds in the bill from being used to develop, propose, or issue rules, regulations, decrees, or orders for the purpose of implementing the Kyoto Protocol on climate change;
- * conducting educational outreach or informational seminars. The committee report directs the EPA and CEQ to refrain from conducting educational outreach or informational seminars on policies underlying the Kyoto Protocol until the Senate ratifies it. The committee expressed concern in the report that the EPA may be engaging in activity that is tantamount to lobbying in an effort to build public support for implementing the protocol;
- * using “brownfields” funds. The bill currently stipulates that brownfields funds may be used *only* for site assessments, developing brownfields and voluntary cleanup programs, and related EPA personnel and administrative costs;
- * issuing regulatory determinations for mercury emissions. The committee report directs the EPA to complete various studies before issuing rules limiting mercury emissions from utilities;

- * using dredging as a remediation tool. The committee report directs the EPA to delay actions that allow dredging to be used as a remedial tool for removing contaminated sediments that contain PCBs in certain waters, until a study has been completed, distributed, and analyzed by all interested parties and Congress.
- * implementing the Food Quality Protection Act (FQPA). The committee report directs the EPA to (1) establish public notice and comment when developing its pesticide residue risk assessment policies, (2) devote additional resources to increase the pace of registration actions and emergency exemptions, and (3) minimize the resources needed to review and issue emergency exemptions. The committee is concerned that EPA is not implementing the FQPA in a manner which expedites the registration of new pesticides, ensures the use of reliable data in calculating exposure to pesticide residues, and clearly explains the legal and scientific basis for its policies;
- * implementing the regional haze program. The committee report recommends that the EPA fund the activities of up to eight multi-state visibility transport commissions (VTC), and that these VTCs prepare and begin implementing appropriate, comprehensive work plans, with a goal of completion by March 1, 1999. The committee expressed concern that the EPA is moving forward with a national rule on regional haze without adequately completing its obligations under the Clean Air Act;
- * applying cleanup requirements for facilities licensed by the Nuclear Regulatory Commission (NRC). The committee report directs the EPA to continue its longstanding policy of not applying cleanup requirements for NRC-licensed and to spend no funds to enforce cleanup requirements at sites being remediated under regulatory requirements enforced through the NRC licensing procedure. **Staff Contact: Greg Dotson, x5-3976**

Additional Information: See *Legislative Digest*, Vol. XXVII, #18, July 10, 1998.



PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD*.

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